

# EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JAMES CONTANT, SANDRA LAVENDER,  
VICTOR HERNANDEZ, MARTIN-HAN TRAN,  
FX PRIMUS LTD., CARLOS GONZALEZ,  
UGNIUS MATKUS, CHARLES G.  
HITCHCOCK III, JERRY JACOBSON, TINA  
PORTER, AND PAUL VERMILLION on behalf  
of themselves and all others similarly situated,

Plaintiffs,

v.

BANK OF AMERICA CORPORATION, *et al.*,

Defendants.

No. 1:17-cv-03139-LGS



**DECLARATION OF DANIEL KLÄY IN SUPPORT OF  
CREDIT SUISSE GROUP AG'S MOTION TO DISMISS**

I, Daniel Kläy, hereby declare:

1. I am Director of Credit Suisse Group AG ("CSGAG"). I submit this declaration in further support of CSGAG's motion to dismiss the above-captioned action for lack of personal jurisdiction. I set forth the facts below to the best of my knowledge based upon my review of CSGAG's records.

2. CSGAG is a financial institution incorporated under the laws of Switzerland. Its headquarters is and has been located at Paradeplatz 8, 8001 Zurich, Switzerland. CSGAG's principal place of business is and has been Switzerland.

3. Based on the most recent Credit Suisse Group AG Annual Report, Form 20-F, at the end of 2017, CSGAG subsidiaries maintained 378 offices and branches worldwide, of which approximately 57% were located in Switzerland. Upon information and belief, the figures for December 2018 are substantially similar for all purposes relevant to the current motion to dismiss.

4. Based on the most recent Credit Suisse Group AG Annual Report, Form 20-F, at the end of 2017, a minority of CSGAG's consolidated net revenue (including net revenues of all direct and indirect subsidiaries) was attributable to the United States. Upon information and belief, the figures for December 2018 are substantially similar for all purposes relevant to the current motion to dismiss.

5. CSGAG is a holding company. It has no offices in the United States and no employees in the United States. It engages in no trading of any kind in the United States. CSGAG's only connection to the United States is that it has subsidiaries that are located in or do business in the United States.

6. Based on the most recent Credit Suisse Group AG Annual Report, Form 20-F, at the end of 2017, CSGAG subsidiaries, on a consolidated basis, employed 46,840 full-time equivalent

employees worldwide, including 16,490 employees in Switzerland. Upon information and belief, the figures for December 2018 are substantially similar for all purposes relevant to the current motion to dismiss.

7. In 2017, CSGAG subsidiaries had 7,641 employees in the United States, of which 5,420 were in New York.

I declare that the foregoing is true and correct.

Executed this 18 day of December 2018 in Zurich, Switzerland.

By:



Daniel Kläy